

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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MARIAH LOPEZ,

Petitioner,

- against -

NYC DEPARTMENT OF HOMELESS SERVICES, AFFIDAVIT
PROJECT RENEWAL,

Respondents. Index No. 100632/2017

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STATE OF NEW YORK)

COUNTY OF NEW YORK)

Kaedon Grinnell, being duly sworn, deposes and says:

1. I am employed as the Shelter Director at Project Renewal.
2. The following statements are true based upon my own knowledge, review of pertinent documents, and, where noted, information and belief.
3. In 2016, the New York City Department of Homeless Services contracted with Project Renewal, a non-profit shelter operator, to operate a shelter designed to house young clients, under age 30, who self-identify as lesbian, gay, bisexual, transgender or questioning ("LGBTQ"). The resulting shelter, known as Marsha's House, opened on February 15, 2017 and is located on East 185th Street in the Mount Eden neighborhood of the Bronx.
4. Marsha's House currently has beds for approximately 81 clients and is operated by Project Renewal. Project Renewal has contracted with Quality Protection Services, a business corporation, to provide security at Marsha's House.
5. Petitioner was assigned to Marsha's House by the New York City Department of Homeless Services on or about April 20, 2017.

6. As detailed below, Petitioner immediately established a pattern of violating the rules and regulations of Marsha's House and of threatening the employees of both Project Renewal ("staff members") and Quality Protection Services ("QPS employees") who sought to enforce those rules.

7. Although Marsha's House has a curfew of 10:00 PM, Petitioner arrived at Marsha's House at approximately 12:40 AM on April 21, 2017. Petitioner entered the facility and asked staff member, Akeem Linton, if she was permitted to have her emotional support animal enter the facility. Mr. Linton informed Petitioner that the request would have to be cleared with his supervisors beforehand. Petitioner then became irate with Mr. Linton at one point stating that she would have unnamed persons come to Marsha's House to fight him. Mr. Linton reported that Petitioner also took a picture of him and posted it on social media. He also reported that Petitioner returned to the operations office on several occasions throughout the night to threaten him and told him that he would be attacked after work.

8. On April 21, 2017 at 11:51AM, Petitioner became verbally abusive to staff member, Dionne Barnes, after she approached Ms. Barnes about retrieving her property from another location. Petitioner raised her voice at Ms. Barnes, took her phone out and began filming Ms. Barnes and telling her that she was streaming the video on Facebook live. Ms. Barnes asked Petitioner to please step away from her as she felt threatened that Petitioner was invading her personal space. Ms. Barnes also told Petitioner that she did not consent to being recorded. Petitioner continued to be verbally abusive to Ms. Barnes by threatening her that, "You are going to gag when you get off work." At this time, Petitioner also began to threaten Mr. Linton. The situation continued to escalate until police were called to the shelter. No arrests were made.

9. On April 24, 2017 at 2:00AM, Petitioner violated another rule when Ms. Murray witnessed Petitioner in bed with another client during a bed count. Ms. Murray informed Petitioner and the other client that they were not permitted to be in bed together, but Petitioner defied the rule and advised Ms. Murray that Petitioner and the other client would stay in bed together.

10. On the morning of April 24, 2017, Petitioner again violated Project Renewal rules when she entered Marsha's House with outside food. When staff member Troy Miller informed her that outside food was prohibited in the facility, Petitioner stated, "If you want to keep your fucking job, you better leave me the fuck alone." Petitioner proceeded to enter the facility despite the staff's orders.

11. On the morning of April 24, 2017, Petitioner refused to comply with a Project Renewal fire drill.

12. On April 27, 2017, Petitioner requested a plate of food from staff member Lamont Barkley. When asked to wait a minute so that Mr. Barkley could check to see if there were extra plates available, Petitioner became verbally aggressive and stated, "If you want your fucking job, you better have a plate for me." Petitioner was subsequently handed a plate of food from the kitchen.

13. On May 2, 2017, Petitioner approached staff members Troy Miller and Dionne Barnes and stated, "The same thing that happened to your friend can happen to you. I know people that can make a lot of things happen, and your dead friend on the other side watches over you." Mr. Miller and Ms. Barnes removed themselves from the situation.

14. On May 3, 2017, at 2:41AM, Petitioner exited Marsha's House without her emotional support animal, leaving the emotional support animal unattended inside the facility. She returned at 2:54AM.

15. On the morning of May 7, 2017, Petitioner's emotional support animal was found roaming Marsha's house unattended.

16. On the night of May 7, 2017, Petitioner created a fire hazard by leaving lit candles unattended in her room.

17. Also on the night of May 7, 2017, Petitioner's emotional support animal relieved herself on the fifth floor of the shelter when she was left unattended by Petitioner. Project Renewal employees were forced to clean up after Petitioner's emotional support animal.

18. Later that same night, on May 7, 2017, Petitioner entered Marsha's House with a bottle of wine. When Petitioner was asked by staff members to leave the bottle at the front desk, she refused and proceeded upstairs.

19. On May 8, 2017, staff members observed Petitioner speaking to another client on the fourth floor of the shelter. When staff members notified Petitioner that she was not permitted on the fourth floor and instructed her to return to the fifth floor, where her room was located, Petitioner waved her hand and refused to comply with the request.

20. On May 10, 2017 at 12:15PM, Petitioner threatened a food service worker at Marsha's House, named Tonya Fowler, due to what Petitioner contended was an inadequately sized meal provided by Ms. Fowler to another client. Petitioner threatened Ms. Fowler that "she would beat the shit out of [Ms. Fowler]", and that she would be going outside to "get someone to put their hands on [Ms. Fowler]." The Assistant Director of Marsha's House, Katina Roye, intervened to move Petitioner away from Ms. Fowler. Ms. Fowler reported that she feels unsafe

working under said conditions, that she believes Petitioner intends to harm her and that Petitioner regularly harasses her in the cafeteria area.

21. Employees from Project Renewal subsequently met with Petitioner on May 10, 2017 at approximately 4:15PM (i) to advise Petitioner that she was being transferred to the WIN West shelter and (ii) to discuss Petitioner's threats against Ms. Fowler. Petitioner admitted making the threats quoted above and asserted that they were "conditional threats." In the meeting, Petitioner went on to reiterate her threats against Ms. Fowler and stated that if the New York City Department of Homeless Services transferred Petitioner out of Marsha's House there would be a number of people waiting to attack Ms. Fowler.

22. On May 12, 2017, the Honorable Barbara Jaffe issued an Order staying Respondents from enforcing Petitioner's transfer to the Win West Shelter pending the outcome of this Article 78 proceeding. Significantly, the Order was conditioned upon Petitioner complying with Respondents' rules and regulations.

23. Despite Judge Jaffe's Order, Petitioner has continued her pattern of violating the rules and regulations of Marsha's House and of threatening the staff members, QPS employees and New York City Department of Homeless Services Officer ("DHS officers") who sought to enforce those rules.

24. On May 13, 2017, Petitioner taunted and insulted QPS employee LaShaunda Griffin before other QPS employees intervened to defuse the situation.

25. On May 13, 2017, two clients began threatening QPS employees and telling them that they "needed to watch their backs." Petitioner recorded this incident from her phone.

26. On May 14, 2017, Petitioner approached staff member Vanessa Murray, and read an address and phone number to Ms. Murray before asking her to verify whether it was another staff member's contact information. Petitioner then told Ms. Murray to inform the other staff member to "back down or it's going to be a problem." During this interaction, Petitioner did not have her emotional support animal with her and the emotional support animal was seen moving freely throughout the facility without being restrained.

27. On May 20, 2017, at approximately 3:00AM, QPS employees were called to the third floor of Marsha's House due to an altercation between Petitioner and another client. After the QPS employees arrived, Petitioner began to threaten QPS employee Toni Smith by telling her that she was going to get Ms. Smith jumped by Petitioner's friends and that she was also going to get Ms. Smith fired. Ms. Smith felt so threatened by this incident that she called her boyfriend to ask him to come to the shelter to escort her home at the end of her shift. When Ms. Smith's boyfriend arrived a few hours later, Petitioner began threatening him until the police had to be called to defuse the situation. Following this incident, Ms. Smith stated that she would not return to work the following day out of fear for her safety.

28. On May 20, 2017, a client of Marsha's House named Trevor Ollivierre reported to DHS Officers that he was being harassed by Complainant and that he had notified the New York Police Department.

29. On May 20, 2017, DHS officers asked Petitioner to remove her belt as she walked through a metal detector located at the entrance of the building. However, Petitioner refused to comply and began screaming about transgender sexual harassment. After leaving the area, Petitioner continued to scream through an open window. She then returned to the security

area five minutes later with her pants unbuttoned and again screaming about transgender sexual harassment.

30. In another incident that occurred on May 20, 2017, Petitioner attempted to bypass security by walking through the employees' entrance of the shelter and stating that "she researched that apple phones are not allowed in x-ray machines."

31. Also on May 20, 2017, Petitioner taunted QPS employee LaSahunda Griffin in the cafeteria of Marsha's House. Following her exchange with Ms. Griffin, Petitioner left her emotional support animal in the cafeteria without a leash and unattended. The emotional support animal eventually had to be tracked down and brought to Petitioner by another client.

32. On May 20, 2017 and May 21, 2017, Petitioner also harassed several other staff members and QPS employees by using inappropriate language towards them and threatening that she would get them all fired.

33. On May 21, 2017, Petitioner entered the search area of Marsha's House and did not comply with a request from DHS officers to place her sweater in the security scanner. When Petitioner proceeded through the metal detector, an alarm went off causing DHS officers to respond. Petitioner then began waving her hands in the faces of the DHS officers while swearing at them. After several minutes of harassment, Petitioner exited the area.

34. On May 21, 2017, Petitioner attempted to enter Marsha's House with a cup of hot coffee before being informed by DHS officers that outside beverages were not allowed in the facility. Petitioner responded by yelling at the DHS officers that she should be allowed to bring the cup inside due to her "religious observances." Petitioner then entered the building through the employees' entrance, without being searched, while yelling, "Fuck you

Sergeant", "Wake up Sergeant, you fucking idiot", "Fuck you, you fat bastard", and "Don't make me call Al Sharpton."

35. On May 21, 2017, Petitioner again attempted to enter Marsha's House with another cup of hot coffee. When DHS officers again reminded her that outside beverages were not allowed in the facility, Petitioner pushed open a door striking a DHS officer before attempting to sprint into the building.

36. On May 22, 2017, staff members and QPS employees smelled a noticeable scent of marijuana coming from a bathroom in the shelter. When they arrived, they found a number of clients, including Petitioner inside the bathroom.

37. Since filing the instant Order to Show Cause, Petitioner has also made several baseless accusations of sexual harassment against staff members.

38. Since about the beginning of May, a number of people (both staff and residents) have reported to me that they do not feel comfortable with Petitioner being at Marsha's House. The reasons given include threats they have heard Petitioner make about getting people fired or bringing about physical harm if they cross her, in addition to her generally bullying and intimidating behavior. Unfortunately, most of these individuals are not willing to come forward publicly due to fear of reprisal from Petitioner.



KAEDON GRINNELL

Sworn to before me this
24th day of May 2017


NOTARY PUBLIC

KATINA S. ROYE
Notary Public - State of New York
No. 01R06292976
Qualified in Bronx County
My Commission Expires November 12, 2017